

OCT 31 2002

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

FILED - CLERK
U.S. DISTRICT COURT
OCT 31 2002 AM 11:01
TEXAS EASTERN
BY [Signature]

Parental Guide of Texas, Inc.,

§

Plaintiff,

§

vs.

§

Funai Corporation, Inc. et al.,

**CIVIL ACTION NO.
2:00CV262 (TJW)**

Defendants.

JURY TRIAL

§

§

FINAL JUDGMENT

Pursuant to Rule 58 of the Federal Rules of Civil Procedure, the Court hereby enters Final Judgment in conformity with the Offer of Judgment of Defendants Mitsubishi Digital Electronics America, Inc. and Mitsubishi Electric and Electronics USA, Inc. ("collectively Mitsubishi") and Parental Guide's acceptance of Mitsubishi's Offer of Judgment, pursuant to Rule 68 of the Federal Rules of Civil Procedure.

U.S. Patent No. 4,605,964 is valid and enforceable. Mitsubishi accused televisions, as identified by Plaintiff Parental Guide, infringe U.S. Patent No. 4,605,964. A royalty rate under 35 U.S.C. 284 of \$1.15 per television shall apply to all accused televisions sold after the filing of this lawsuit and projected to be sold through the expiration of U.S. Patent No. 4,605,964 on August 12, 2003 and that units sold and projected to be sold during this period will total approximately 955,000 televisions. The total Judgment award shall be in the amount of \$1,098,250.

This Judgment reserves to Mitsubishi, and the above provisions are subject to, the right to appeal this Court's decisions regarding claim construction in this matter, including but not limited to the Court's Memorandum Opinion and Order on Claim Construction dated February 13, 2002. Further,

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this Judgment reserves to Mitsubishi the right to appeal the denial of the Defendants' Motion for Summary Judgment and Defendants' Second Motion for Summary Judgment of Noninfringement filed in this matter. Each party shall bear its own cost, expenses and attorneys fees incurred herein. All relief not specifically granted herein is denied.

Signed and entered this 31st day of October 2002.

T. John Ward
T. JOHN WARD
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

Melvin Wilcox
Melvin Wilcox III

Sam Baxter
Sam Baxter